

**AMENDMENT**

**In the Claims**

Below is a complete listing of claims of the application, in which claim 1, 2-78, 79-90, 96, and 101-102 have been canceled.

1. (Canceled)
- 2-78. (Canceled)
- 79-90. (Canceled)
91. (Previously Presented) A composition comprising transgenic totipotent bovine cultured inner cell mass (CICM) cells of a CICM cell line that express a transgene, and also comprising cells of the same CICM cell line that do not express the transgene.
92. (Previously Presented) The composition of claim 91, wherein the transgenic CICMs are genetically modified by insertion into their genome of a heterologous DNA.
93. (Previously Presented) The composition of claim 91, wherein the transgenic CICMs are genetically modified by insertion into their genome of a heterologous DNA construct comprising a promoter operably linked to a gene encoding a protein.
94. (Previously Presented) The composition of claim 93, wherein the heterologous DNA construct comprises a promoter operably linked to a gene encoding a protein that is a selectable marker of the CICM cells.

95. (Previously Presented) The composition of claim 94, wherein the selectable marker protein is selected from the group consisting of  $\beta$ -galactosidase ( $\beta$ -GAL), neomycin phosphotransferase (NEO), dihydrofolate reductase (DHFR), aminoglycoside phosphotransferase (APH), xanthine-guanine phosphoribosyltransferase (XGPRT), and  $\beta$ -GEO (a fusion of  $\beta$ -GAL and NEO genes).
96. (Canceled)
97. (Currently Amended) The composition of claim ~~96~~ 91, wherein the D1 gene transgene is encodes a differentiation-inhibiting product selected from the group consisting of ~~DI~~ a T-antigen proteins, an DI oncogene products, OCT-3, LIF, and LIF receptor.
98. (Previously Presented) The composition of claim 93, wherein the promoter is selected from the group consisting of cytomegalovirus (CMV) promoter, phosphoglycerate kinase (PGK) promoter, mammary (MAM) promoter, reCMV promoter, and chicken beta actin promoter.
99. (Previously Presented) The composition of claim 93, wherein the promoter is an inducible promoter.
100. (Previously Presented) The composition of claim 99, wherein the inducible promoter is selected from the group consisting of tetracycline promoter, interferon promoter, steroid promoter, and metallothionein promoter.
101. (Canceled)
102. (Canceled)

- 103. (Previously Presented) The composition of claim 91, which further comprises a feeder layer.
- 104. (Previously Presented) The composition of claim 103, wherein said feeder layer comprises a fibroblast feeder layer.
- 105. (Previously Presented) The composition of claim 104, wherein the CICMs of the CICM cell line have physical contact with the feeder layer.
- 106-120. (Canceled)

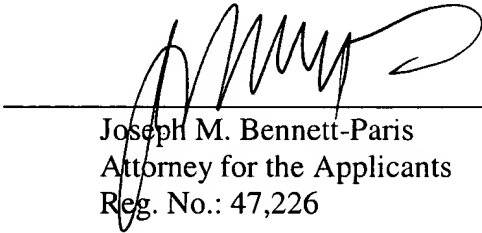
## CONCLUSION

Applicants respectfully submit that the foregoing corrected Amendment and previously filed Response place this application in condition for allowance of all pending claims.

No further fees are believed due; however the commissioner is authorized to charge any fee due or refund any credit to Deposit Account No. 13-2725. If the Examiner believes that there are any issues that can be resolved by a telephone conference, or that there are any informalities that can be corrected by an Examiner's amendment, please call the undersigned at 404.954.5088.

Respectfully submitted,  
MERCHANT & GOULD

April 15, 2004



Joseph M. Bennett-Paris  
Attorney for the Applicants  
Reg. No.: 47,226

Merchant & Gould, LLC  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
Telephone: 404.954.5100

